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APPROVED AND RELEASED WITH
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BOARD OF SELECTMEN

LEA T. ANDERSON
MARY M. ANTES
LOUIS M. JURIST
CHERRY C. KARLSON
DOUGLAS A. LEVINE

Board of Selectmen Meeting Minutes Executive Session June 19, 2017 7:33 P.M.

Wayland Town Building, Selectmen's Meeting Room
41 Cochituate Road, Wayland

Attendance: Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, Louis M. Jurist, Douglas A. Levine
Also Present: Town Administrator Nan Balmer, Town Engineer Paul Brinkman, River's Edge Advisory Committee Chair Rebecca Stanizzi, Personnel Board Members Deborah Sue Cohen, Jessica Green, Miranda Jones, Maryanne Peabody and Philip Schneider, River's Edge Advisory Committee member Rebecca Stanizzi, and Anderson & Kreiger Attorney David L. Wiener (arrived 7:35 p.m.)
Also Present via Remote Participation: Assistant Town Administrator/Human Resources Director John Senchyshyn

Purpose: L. Anderson called the session to order at 7:33 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0) in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(6) to consider the purchase, taking, lease or value of real property in regard to the Rivers Edge Project at 484-490 Boston Post Road; and pursuant to Massachusetts General Laws Chapter 30A, Section 21 (a)(3), a joint discussion of strategy with the Personnel Board with respect to and in preparation for collective bargaining with Police, Fire, AFSCME 1, AFSCME 2, Library, and Teamsters unions, representing town employees.

C. Karlson moved, seconded by M. Antes, to exit executive session at 7:35 p.m. in order to amend the motion to enter into executive session to include attendance by River's Edge Advisory Committee member Rebecca Stanizzi and Anderson & Kreiger Attorney David L. Wiener. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, L. Jurist, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

The session was opened again at 7:35 p.m. with the addition of Anderson & Kreiger Attorney David L. Wiener.

Discussion: D. Wiener updated the Board on the Land Development Agreement (LDA) with WP East Acquisitions LLC in regard to the River's Edge project. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] L. Jurist asked if it was typical for a town to pay for development costs; D. Wiener said [REDACTED]
[REDACTED]

Members discussed the timeline for the closing and the ability to extend the closing date. It was noted that one cause of the need for additional time is the DPW request for the extension of the water line to Sudbury, which is a new issue since the developer's proposal [REDACTED]
[REDACTED]
[REDACTED]

The Board reviewed the provisions of the LDA, including:

- The obligation of the buyer to clean up the property to a standard allowing for residential housing on the property
- The obligation of the buyer to get Planning Board site plan approval
- The encumbrance of the property by Affordable Housing restrictions
- The stipulation that the Town will keep the deposit in the event the buyer defaults
- The obligation of the buyer to begin construction within ninety days of closing, and complete the construction within thirty months
- The limited repurchase rights of the Town
- The responsibility of the buyer to begin paying taxes upon ownership, and
- The requirement that any subsequent buyer will be bound by the LDA

L. Jurist asked if there were any terms in the LDA that Annual Town Meeting had recommended against; D. Wiener said no. R. Stanizzi noted there is a liquidated damages provision in section 4.6(b) of the LDA if the project is not complete by the buyer's project completion date. D. Wiener said the Wood Partners investment committee is meeting June 26, and will then get back to the Board of Selectmen; he said the buyer will sign first. [REDACTED]

[REDACTED] R. Stanizzi said the River's Edge Advisory Committee did due diligence and can review the numbers with the Town Engineer. [REDACTED]

D. Levine asked if this is a typical deal. D. Wiener said towns don't typically do these kinds of land sales. He said you don't often see sellers with actual vs. estimated costs, but this mechanism worked for this project. P. Brinkman noted that there was a lot of effort in the project, and it was in the Town's interest not to let the number go down. [REDACTED]

[REDACTED] N. Balmer asked that the Board of Selectmen reconvene the River's Edge Advisory Committee to take responsibility for the project through the closing, as per the committee charge.

M. Antes asked about three-bedroom housing. D. Wiener said that the Department of Housing and Community Development provided an exemption letter to the requirement that 10% of the project consist of three-bedroom units.

D. Wiener left at 8:11 p.m.

At 8:12 p.m., the Board was joined by members of the Personnel Board. J. Senchyshyn joined the meeting at 8:12 p.m. via telephone. He stated for the record that he will be participating remotely due to personal illness; and that no other person is present and/or able to hear the discussion at the remote location.

J. Senchyshyn presented two potential agreements to the Board. Both agreements were for a three-year period with across-the-board increases of 2.00% - 2.25% - 2.25%. Each agreement had minor incidental costs in addition to the across-the-board increases.

The first agreement was with the Teamsters. J. Senchyshyn read and reviewed several minor language edits to the Memorandum of Agreement (MOA) requested by the Teamsters. In addition to the across-the-board increases, the MOA extended the sick leave benefit at retirement which was provided to other bargaining units in the last round of negotiations. There were marginal changes to the uniform allowance for three mechanics and an increase in weekend on-call coverage for Water Workers, which will become effective in FY 19. J. Senchyshyn then reviewed the total contract costs with the boards.

The second agreement was with the AFSCME-2 clerks and dispatchers. In addition to the across-the-board increases, he said there is a 0.5% increase in a shift differential which will affect three employees on the evening and overnight shift. J. Senchyshyn then reviewed the total contract costs with the boards.

Both boards were in agreement with the economic terms as presented. J. Senchyshyn said he would prepare MOA's for both settlements and hopefully the unions would have ratification votes scheduled in the near future.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

C. Karlson moved, seconded by L. Jurist, to exit the executive session at 8:31 p.m. YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Items Distributed for Information and Use by the Board of Selectmen at the June 19, 2017, Executive Session Meeting

[REDACTED]